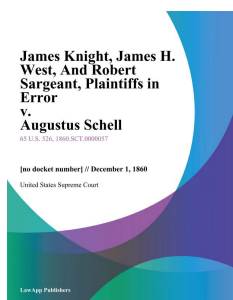


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JAMES KNIGHT JAMES H WEST AND ROBERT SARGEANT PLAINTIFFS IN ERROR V AUGUSTUS SCHELL EBOOKS 2019



Author: United States Supreme Court

Realese Date: Expected @@expectedReleaseDate@@

This case comes before the court on a certificate of division of opinion from the Circuit Court of the United States for the southern district of New York. It was an action of assumpsit, brought by the present plaintiffs against the defendant, as the collector of the port of New York, to recover back certain duties paid by the plaintiffs under protest, upon certain barrels, in which molasses was imported into the United States from Matanzas. It was proved, on the trial, that the plaintiffs, in the year 1859, imported from Matanzas 728 barrels of molasses by the brig Irene, 120 barrels of molasses by a vessel called the Yumuri, and 120 barrels of molasses by a vessel called the Trovatore; that the barrels containing the molasses were manufactured by the plaintiffs at Newburg, in the State of New York, and shipped from the port of New York empty to Matanzas, where they were filled with molasses, and returned in the three vassels above named to the port of New York; that the barrels were made up and completed in every respect before they were shipped to Cuba. They were returned, most of them, in the same vassels that carried them out from New York, and all of them in the same condition in which they were shipped or carried out from New York, except being filled with molasses.

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